

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

REBECCA ANN TOLEDO,  
Plaintiff,

v.

LELAND DUDEK,  
Acting Commissioner of Social Security,<sup>1</sup>  
Defendant.

No. 1:21-cv-01743 KJM GSA  
ORDER

Plaintiff Rebecca Ann Toledo initiated this action seeking judicial review of a final decision of the Commissioner of Social Security denying her application for supplemental security income under Title XVI of the Social Security Act. The assigned magistrate judge determined the decision of the administrative law judge was supported by substantial evidence in the record as a whole and was based upon proper legal standards. *See* ECF No. 24. Therefore, the magistrate judge recommended plaintiff's motion for summary judgment be denied and defendant's request to affirm the agency's determination be granted. *Id.* at 11.

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<sup>1</sup> Leland Dudek became the Acting Commissioner of Social Security in February 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, the Court substitutes Leland Dudek as the defendant in this case.

1 The findings and recommendations notified the parties that any objections were due  
2 within fourteen (14) days and that the failure to file objections within the specified time may  
3 result in the waiver of rights on appeal. *Id.* (citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839  
4 (9th Cir. 2014)). No objections have been filed and the time in which to do so has passed.

5 According to 28 U.S.C. § 636 (b)(1)(c), this court conducted a de novo review of the case.  
6 Having reviewed the matter, the court concludes that the Findings and Recommendations are  
7 supported by the record and proper analysis.

8 Accordingly, the court **ORDERS**:

- 9 1. The June 17, 2024 findings and recommendations, ECF No. 24, are **ADOPTED** in  
10 full.
- 11 2. Plaintiff's motion for summary judgment, ECF No. 17, is **DENIED**.
- 12 3. The Commissioner's cross-motion for summary judgment, ECF No. 18, is  
13 **GRANTED**.
- 14 4. The final decision of the Commissioner of Social Security is affirmed.
- 15 5. The Clerk of Court is directed to enter judgment in favor of defendant  
16 Commissioner of Social Security, against plaintiff, and to close this case.

17 DATED: February 21, 2025.

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UNITED STATES DISTRICT JUDGE